

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
and
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No. 9938 of 2007

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ORDER: (Per the Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is filed seeking a writ of Certiorari calling for the records pertaining to the order of the Central Administrative Tribunal dated 19.12.2006 in O.A. No. 725 of 2006 and to quash the same as illegal and arbitrary.

Heard the learned counsel for the parties and perused the material available on record.

By the order impugned in this writ petition, the Tribunal directed the petitioners to complete the disciplinary proceedings within a period of one month from the date of receipt of a copy of that order with an observation that failure to do so will be deemed that the disciplinary proceedings initiated against the applicant shall be dropped. The Tribunal further directed the petitioners herein to pay the retiral benefits to the applicant – respondent herein as per his entitlement within a period of two months from the date of receipt of a copy of that order.

It is submitted by the learned Assistant Solicitor General appearing for the petitioners that in pursuance of the interim orders passed by this Court, final orders have been passed with regard to payment of pension after deducting 5% cut from such amount. In view of the fact that the final orders have already been passed, even though the time granted by the Tribunal is expired, we set aside the observation made by the Tribunal to the effect that if no orders are

passed within a period of one month from the date of receipt of a copy of the order the disciplinary proceedings initiated against the respondent – applicant shall be deemed to have been dropped. As the final orders have been passed, we give liberty to the respondent to question the said final orders, if he so desires.

The writ petition is disposed of accordingly. No costs.

T. MEENA KUMARI, J.

G. CHANDRAIAH, J.

Date: 29-06-2007.

MVB.